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Attorney's Docket No.: 1818.1010-008
Expedited Procedure under 37 C.F.R. § 1.116
Examining Group 1639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Andrew J. Gow
Application No.: 08/796,164 Group: 1639
Filed: February 6, 1997 Examiner: Bennett M. Celsa
Confirmation No.: 8622
For: MODIFIED HEMOGLOBINS, INCLUDING NITROSYLHEMOGLOBINS,
AND USES THEREFOR

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AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

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Commissioner for Patents
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Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on July 8, 2004 in the above-identified application.

Please amend the application as follows:

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Amendments to the Claims

Please cancel Claims 11, 12, 14-22, 27-29, 40 and 69-81. Please amend Claim 41. The Claim Listing below will replace all prior versions of the claims in the application:

Claim Listing

1-40. (Canceled)

1 41. (Currently amended) The A method of Claim 40 wherein the nitrosyl-heme-containing donor of NO is delivering NO or its biological equivalent to tissues in an animal or human, comprising administering to the animal or human an effective amount of nitrosylhemoglobin.

42. (Canceled)

2 43. (Original) Method for making SNO-oxyhemoglobin, comprising adding NO to an aqueous solution of oxyhemoglobin and buffer having a pK of at least about 9.4, at a concentration of approximately 10 mM to 200 mM, at pH 7.4.

3 44. (Original) Method for making SNO-oxyhemoglobin, comprising adding NO to an aqueous solution of oxyhemoglobin in a approximately 10 mM phosphate buffer at pH 7.4.

45. (Canceled)

4 46. (Previously presented) Method for making S-nitrosohemoglobin comprising adding NO to oxyhemoglobin in an aqueous solution at pH 7.4 to 9.2 such that the ratio of NO:hemoglobin is less than about 1:30.

47-62. (Canceled)

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5

63. (Previously presented) A method for producing SNO-oxyhemoglobin, said method comprising mixing nitric oxide and deoxyhemoglobin at pH 7.4 and at a heme:NO ratio of less than 10, and exposing the resulting solution to air.

64. (Cancelled)

65.

(Previously presented) A method for producing S-nitrosohemoglobin, said method comprising mixing nitric oxide dissolved in an aqueous solution and purified oxyhemoglobin at a heme:NO ratio of less than about 10 in aqueous buffer at pH 7.4.

66-81. (Cancelled)